

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 04 12699RWZ

PETITION OF K & R FISHING  
ENTERPRISES, INC., FOR  
EXONERATION FROM OR  
LIMITATION OF LIABILITY,  
CIVIL AND MARITIME

**CLAIM OF PEDRO FURTADO, IN RESPONSE TO THE DEFENDANT,  
K&R FISHING ENTERPRISE, INC.'S PETITION FOR EXONERATION  
FROM OR LIMITATION OF LIABILITY**

Now comes the respondent, Pedro Furtado, and asserts a claim in the above-captioned matter against K & R Fishing Enterprises, Inc. pursuant to and in accordance with Federal Rules of Civil Procedure, Supplemental Rule F(5).

More specifically, the respondent, Pedro Furtado asserts the following:

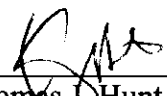
1. The defendant/petitioner, K & R Fishing Enterprises, inc. was, at all material times hereto, the owner of the F/V NORTHERN EDGE.
2. The defendant/petitioner, K & R Fishing Enterprises Inc. was, at all material times hereto, the employer of the respondent, Pedro Furtado.
3. On or about December 20, 2004, the respondent, Pedro Furtado, while in the course of his employment, was aboard the F/V NORTHERN EDGE. During and in the course of his employment, with the Petitioner, K & R Fishing Enterprises, Inc., the F/V NORTHERN EDGE sunk and the respondent was caused suffer personal injuries.
4. On or about December 20, 2004, the respondent, Pedro Furtado was 22 years old. He was earning approximately \$60,000 per year. The respondent asserts a claim for loss of income and conscious pain and suffering.
5. The respondent alleges that the petitioner, K & R Fishing Enterprises, Inc. as the owner of the F/V NORTHERN EDGE, and, as the employer of the respondent, was negligent and breached certain warranties in allowing the F/V NORTHERN EDGE to sink. The respondent further alleges that the petitioner, K & R Fishing Enterprises, Inc., allowed the F/V NORTHERN EDGE to go out to sea, with improper rigging, instability, and other dangerous, defective and unseaworthy conditions. Additionally, the petitioner failed to provide safety drills for proper

evacuation of the vessel in case of an emergency. As a result of the petitioner's negligence, the respondent was injured.

WHEREFORE, the respondent, Pedro Furtado, hereby asserts a claim for personal injuries in the above-captioned matter against the Petitioner, K & R Fishing Enterprises, Inc.

**THE RESPONDENT CLAIMS A TRIAL BY JURY ON ALL ISSUES RAISED IN  
HIS COMPLAINT, CIVIL ACTION 04-12713 RWZ,  
Pedro Furtado vs. K & R Fishing Enterprises, Inc., AND ANY AND  
ALL CLAIMS INCIDENT THERETO**

The Respondent,  
Pedro Furtado  
By his attorneys,

  
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Thomas J. Hunt & Associates  
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(508) 984-0755 Facsimile

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the  
above document was served upon the  
attorney of record for each other party  
by mail - filed on 3-22-05

  
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